

**DEPUTY SHERIFFS' EDUCATION AND TRAINING BOARD**

**Minutes of the February 26, 2013 Meeting**

Members Present

Carmen C. DeLuca  
Kurt Eisele  
David Godfrey  
Mark Kellam  
Todd A. Martin  
Ronald C. Nagle  
Wayne E. Nothstein  
Eric Weaknecht

Commission Staff Present

Doug Hummel  
Robert Merwine  
Donald Numer  
John Pfau  
Deborah Williams

Members Absent

Margherita Patti-Worthington

Others Present

Pennsylvania State University  
Dan Miltenberger  
Don Zettlemyer

Pennsylvania State University – Fayette  
Tom Maoli  
Steve Todoric  
Ted Mellors

Office of the Pennsylvania Attorney General  
Larry Truman

Pennsylvania Sheriffs' Association  
Beth Appleby

The February 26, 2013 meeting of the Deputy Sheriffs' Education and Training Board (DSETB) was called to order by Chairman Carmen DeLuca, at 9:00 a.m., at the Pennsylvania Commission on Crime and Delinquency (PCCD), 3101 North Front Street, Harrisburg, Pennsylvania 17110.

Mr. Don Numer, PCCD, introduced and welcomed the Honorable Judge Ronald C. Nagle. Judge Nagle was appointed to serve on the DSETB and was attending his first meeting. Mr. Numer introduced Ms. Deborah Williams. Ms. Williams was hired as a contract employee with the PCCD to assist managing the curriculum development process for both the Deputy Sheriff's Training Program and the Constable's Training Program.

Chairman DeLuca requested that the meeting continue with everyone present providing a brief introduction. DSETB members present included: Lieutenant David M. Godfrey, Sheriff Eric Weaknecht, Deputy Mark Kellam, Sheriff Todd A. Martin, Dr. Kurt Eisele, and Commissioner Wayne E. Nothstein. Mr. Lawrence M. Cherba was in attendance representing the Pennsylvania Attorney General's Office. Mr. Numer, Ms. Williams, Mr. John Pfau, Mr. Robert Merwine, and Mr. Doug Hummel were in attendance, representing the PCCD. Ms. Beth Appleby was representing the PA Sheriffs' Association. Mr. Dan Miltenberger and Mr. Don Zettlemyer were representing the Pennsylvania State University. Mr. Ted Mellors was representing the Pennsylvania State University, Fayette Campus. Mr. Steve Todoric and Mr. Tom Maioli represented Alutiiq, which is a sub-contractor of Penn State Fayette.

Chairman DeLuca announced the first agenda item, which was the election of officers for the DSETB.

Commissioner Nothstein made a motion to nominate Mr. DeLuca for the office of DSETB Chariman. Lieutenant Godfrey seconded the nomination.

Deputy Kellam made a motion to close the nominations for DSETB Chariman. Lieutenant Godfrey seconded the motion to close the nominations.

The nominations for the DSETB Chairman were closed and Mr. DeLuca was elected to remain as Chairman, with the following votes:

Voting Aye: Board Members DeLuca, Eisele, Godfrey, Kellam, Martin, Nagle, Nothstein, and Weaknecht

Voting Nay: None

Deputy Kellam made a motion to nominate Dr. Eisele for the office of DSETB Vice-Chairman. Lieutenant Godfrey seconded the nomination.

Lieutenant Godfrey made a motion to close the nominations for DSETB Vice-Chairman. Commissioner Nothstein seconded the motion to close the nominations.

The nominations for Vice-Chairman were closed and Dr. Eisele was elected Vice-Chairman of the DSETB, with the following votes:

Voting Aye: Board Members DeLuca, Eisele, Godfrey, Kellam, Martin, Nagle, Nothstein, and Weaknecht

Voting Nay: None

Chairman DeLuca asked if everyone had the opportunity to review the minutes of the December 6, 2012 DSETB meeting. He stated that if there were no questions, then he would entertain a motion to approve the minutes.

Sheriff Martin made a motion to approve the DSETB minutes from the December 6, 2012 meeting. Lieutenant Godfrey seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Eisele, Godfrey, Kellam, Martin, Nagle, Nothstein, and Weaknecht

Voting Nay: None

Chairman DeLuca asked Mr. Numer to provide the DSETB fiscal report. Mr. Numer reviewed the DSETB fiscal report for state fiscal year 2012-2013, for the period ending December 31, 2012. Mr. Numer explained that the fiscal commitments are projected through the life of a contract, which includes multiple years. Fee collections only reflect the current fiscal year. The balance from the previous year was \$14,124,834.70. Fee collections from July 1, 2012 through December 31, 2012, was \$2,174,055.59. The estimated fee collections from January 1, 2013 through June 30, 2013 is \$2,623,618.41. The total funds available at December 31, 2012 was \$18,922,508.70. The total expenditures and commitments as of December 31, 2012 was \$17,954,975.93. The estimated balance as of December 31, 2012 was \$967,532.77.

Chairman DeLuca asked if and when it would be necessary to seek a fee increase. Mr. Numer stated that the training account projections indicate that possibly in 2018 we would need to seek and increase in fees. Mr. Numer stated that increasing the fee amount requires a legislative change to the Training Act. This process could take approximately two years to establish a fee increase.

Commissioner Nothstein made a motion to approve the DSETB Fiscal Report. Deputy Kellam seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Eisele, Godfrey, Kellam, Martin, Nagle, Nothstein, and Weaknecht

Voting Nay: None

Mr. Numer provided the Training Supervisor's Report. Mr. Numer informed the DSETB that the comprehensive revisions to the Basic Training Curriculum were approximately 95% complete. Many of the training modules incorporated problem-based learning methodology. In addition, more practical exercises were added to the training modules. He explained that the student evaluations have been excellent. Mr. Numer credited the curriculum developers and the instructors for their dedication to the program.

Mr. Numer extended an invitation and encouraged the DSETB members to attend any of the training classes. Mr. Numer informed the DSETB that he is preparing a presentation to show-case the training programs. He stated that he will conduct his presentation at the Pennsylvania Sheriffs' Association Conference in July 2013. In addition, in 2014, Mr. Numer would like to sponsor an "open-house" with Penn State to provide sheriffs with a tour of the academy facilities. Mr. Numer stated that staff would try to coordinate the tours with the Pennsylvania Sheriffs' Association. This could be organized when the sheriffs have one of their quarterly meetings in State College. Also, the DSETB could consider hosting a Board meeting during this time.

Mr. Numer informed the DSETB of the need to consider setting a time limit for submitting training expense vouchers. Mr. Numer explained that history has indicated that some counties have not been diligent in submitting their requests for reimbursements permitted by the Training Act. Due to the recent economic climate, more counties have become more aware of the reimbursement process and have requested reimbursements for training that occurred many years ago. Guidance from the Commonwealth's Comptroller's Office was to limit the time period to one year. Our data base limits the expense vouchers to one and a half years. In practice, we have never provided reimbursement for training beyond two years. Currently, staff issue reimbursement forms to each county after the completion of a training program. The issue date and date that PCCD fiscal staff process the reimbursement forms is recorded in the Deputy Sheriffs' Information System (DSIS). The actual forms and amounts of the reimbursement requests is perishable data.

The lack of an established expiration date prevents reasonable fiscal forecasting and management of the Training Account. Delayed reimbursement requests do not allow for proper auditing of requests and comparison for actual or possible duplication. Mr. Numer recommends that with legal approval, the DSETB establish an expiration date for reimbursement forms. Mr. Numer stated that he will be issuing a Training Bulletin detailing the current reimbursement procedures.

Sheriff Martin stated that it is the Sheriff's responsibility to timely submit for the training reimbursements. Commissioner Nothstein recommended a time limit of not more than one year. Sheriff Martin agreed with Commissioner Nothstein. Lieutenant Godfrey stated that his office failed to submit the reimbursement forms in a timely manner and was unable to receive reimbursements older than two years. He agreed with the need to establish a time limit. The consensus of the DSETB was for staff to draft a reimbursement policy for Board consideration.

Mr. Numer proposed the DSETB to consider establishing a training certification expiration policy. Currently, the DSETB does not have an expiration of certification for former deputy sheriffs regardless of the length of time since they left employment. In practice, when a certified deputy has left employment, upon their return, their certification restarts with the new hire date and they have two years until re-certification is required. For example, a deputy that attended the 160 hour Basic Training Academy in 1985, that left employment in 1989, could return today as a deputy sheriff and their certification would restart. The deputy would only be required to attend continuing education within two years of their rehire date. Conversely, a current deputy sheriff that fails to attend continuing education would be ineligible for continued employment.

Mr. Numer suggested that a survey of the sheriffs be conducted for input toward instituting a policy. Mr. Numer stated that the DSETB and staff has always been client oriented. We have approximately 2,100 deputy sheriffs in Pennsylvania. Mr. Numer explained that it is a relatively small population of deputies that a policy would affect. We are limited in the ability to create a special program to meet such a small population. Mr. Numer provided an example. A policy could require any former deputy that has not been employed for the past five years would be required to repeat Basic Training. Chairman DeLuca stated that the policy would need to address the same issue for those deputy candidates that are former police officers or state troopers.

Mr. Numer informed the DSETB, that in the 1990's a waiver exam was used as a part of the process for entrance to the Waiver Training Program. The sheriffs did not like the exam. Many former police officers and state troopers failed the exam and were required to attend the entire basic training program. The exam was scrutinized. Many sheriffs thought that waiver exam was not valid. Sheriffs supported their deputies that failed the exam. At that time, the DSETB became sympathetic to the sheriffs concerns. The DSETB considered evaluating the exam to eliminate any problem questions. In addition, consideration was given to creating a study guide and hosting study sessions. If the goal was to create an exam that nobody would fail, than why require the exam. The final result was the DSETB eliminated the waiver exam. Mr. Numer stated that any policy will need to consider all potential deputy candidates. He recommended not instituting a new waiver exam. Mr. Numer recommended implementing a time limit based on employment dates. He stated that staff could research this issue and have our legal staff review any proposed policy prior to further review by the DSETB.

Lieutenant Godfrey stated that any policy should be simple. Dr. Eisele said he agreed with surveying the sheriffs. Dr. Eisele stated that knowledge is perishable. He suggested

the possibility of instituting an exam because everyone has a different law enforcement background and ability to retain knowledge. He stated that a five or six year limit may be appropriate but we need to have the input from the sheriffs.

The DSETB directed staff to proceed with the development of a draft policy for Board consideration.

Chairman DeLuca inquired if the Board could notify the County Commissioners regarding the lack of a Sheriffs' Office to submit for reimbursements. Mr. Numer stated that when the new training software system is developed an email alert could be sent as a reminder to submit the reimbursement requests. The new system will probably take more than a year to develop. Commissioner Nothstein recommended an email be sent to the chairman of the county commissioners for each offending county. Sheriff Martin stated that it is the sheriff's responsibility to submit the expense vouchers. He stated that the commissioners have a right to know that reimbursements are requested. Mr. Numer stated that some sheriffs may have an issue with the commissioners being notified.

Deputy Kellam asked if we were sponsoring any gang related trainings. Mr. Numer stated that Temple University hosts our on-line merit trainings and that Pennsylvania Special Threat Groups was one of the trainings.

Mr. Hummel reviewed the list of Partial Training Waiver Applications approved by the Training Supervisor. This was for informational purposes and did not require DSETB action. Mr. Hummel explained that these waivers are in accordance with the Training Policy.

Chairman DeLuca asked for the report on the Basic Training Delivery Contract. Mr. Zettlemoyer reported that the graduation ceremony for class forty would be held on May 17, 2013 at 11:00 a.m., on the main campus of the Pennsylvania State University. He invited all the DSETB members to attend any class and to take a tour of the academy facilities.

Chairman DeLuca asked for the report on the Continuing Education Delivery Contract. Mr. Numer informed the DSETB that the 2011-2013 training cycle will end in June 2013. He stated that classes will be held in the Harrisburg region to finish the cycle. The 2013-2015 training cycle begins in October 2013 in the Allentown area.

Chairman DeLuca asked for the report on the Curriculum Development Contract. Mr. Mellors stated that his curriculum team is working closely with the academy instructors to update Civil Law, Criminal Procedure, and Patrol Operations. He stated that they will be producing videos to add to the curriculum. Mr. Mellors stated that his staff is in the process of developing the curriculum for the 2013-2015 continuing education training cycle.

Mr. Mellors introduced Mr. Maioli. Mr. Maioli presented the survey that will be used to identify topics of interest for the future development for the continuing education

program. Mr. Maioli will review the survey with the sheriffs at their mid-winter conference in March 2013.

Mr. Numer reminded the DSETB that Penn State Fayette continues to research the use of electronic tablets in Basic Training. The tablets would replace the numerous paper copy course materials that are issued to the deputies. Upon completion of the academy, the tablets would be returned for use with future classes. Each deputy would be given all the course materials on a thumb drive to keep as reference materials.

Chairman DeLuca asked for a motion to adjourn the meeting.

Dr. Eisele made a motion to adjourn the meeting. Deputy Kellam seconded the motion and the meeting was adjourned.

Voting Aye: Board Members DeLuca, Eisele, Godfrey, Kellam, Martin, Nagle, Nothstein, and Weaknecht

Voting Nay: None